



Order Filed on July 12, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

792852
PHELAN HALLINAN DIAMOND & JONES, PC
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054
856-813-5500
Attorneys for WELLS FARGO BANK, NA

In Re:

RICHARD J WISSLER

Debtor

Case No.: 17-18507 - CMG

Hearing Date: 07/11/2017

Judge: CHRISTINE M. GRAVELLE

Chapter: 7

Recommended Local Form: ☐ Followed ☒ Modified

**ORDER GRANTING IN REM RELIEF FROM THE AUTOMATIC STAY PURSUANT TO
11 U.S.C. §362(d)(4) AND RELIEF FROM THE STAY TO DIVEST DEBTOR OF
POSSESSORY INTEREST**

The relief set forth on the following page is hereby **ORDERED**.

.....

DATED: July 12, 2017

A handwritten signature in black ink, reading "Christine M. Gravelle", is written over a horizontal line.

Honorable Christine M. Gravelle
United States Bankruptcy Judge

Upon the motion of WELLS FARGO BANK, NA, under Bankruptcy Code section 362(d) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real Property more fully described as:

29 FOREST AVENUE, KEANSBURG, NJ 07734 NKA 29 FOREST
AVENUE, KEANSBURG, NJ 07734-1613

It is further **ORDERED** that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the property at sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.

☐ Personal property more fully described as:

It is further **ORDERED** that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

It is further **ORDERED** that the Automatic Stay of all proceedings, as provided under 362 of the Bankruptcy Code is modified with respect to premises at 29 FOREST AVENUE, KEANSBURG, NJ 07734 NKA 29 FOREST AVENUE, KEANSBURG, NJ 07734-1613 as more

fully set forth in the legal description attached to said mortgage, as to allow the Movant, its successors or assigns, to take any legal or consensual action for enforcement of its right to possession of, or title to, said premises (said actions include but are not limited to foreclosure on its mortgage, recording of a Sheriff's deed, and eviction proceedings).

It is further **ORDERED** that no future bankruptcy cases filed by Debtor, her successors, assigns, or any occupants, will not stay any actions taken by Movant, its successors, assigns, or any other purchaser at Sheriff's Sale from proceeding with any legal or consensual actions necessary for enforcement of its right to possession of, or title to, said premises.

It is further **ORDERED** that the Office of the Clerk of Monmouth County is hereby directed to allow for the recording of this Order, and that this Order is effective for two (2) years from the date of entry, provided it is recorded as provided for by §362(d)(4).

It is further **ORDERED** Rule 4001(a)(3) is not applicable and WELLS FARGO BANK, NA, may immediately enforce and implement this order granting relief from the automatic stay.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.

rev. 7/12/16

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Richard J Wissler
Debtor

Case No. 17-18507-CMG
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jul 13, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 15, 2017.

db +Richard J Wissler, 213 Main Street #9, Keansburg, NJ 07734-1759

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 15, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 13, 2017 at the address(es) listed below:

Barry Frost trustee@teichgroh.com, NJ94@ecfcbis.com
Denise E. Carlon on behalf of Creditor U.S. Bank National Association, as Trustee for Terwin Mortgage Trust 2005-14HE, Asset-Backed Certificates, Series 2005-14HE dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Michael Frederick Dingerdisen on behalf of Creditor WELLS FARGO BANK, NA nj.bkecf@fedphe.com
Nicholas V. Rogers on behalf of Creditor WELLS FARGO BANK, NA nj.bkecf@fedphe.com
Raymond C. Osterbye on behalf of Debtor Richard J Wissler rosterbye@legalservicecenter.org, Reception@legalservicecenter.org
U.S. Trustee. USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6